

April 9, 1973

(Start Belt #8)

CLERK: Reading.

PRESIDENT: The Chair recognizes Senator Simpson.

SENATOR SIMPSON: Mr. President and members of the legislature, I move adoption of the amendments. The amendment was to be on another bill, was inadvertently left off, and it is germane, it is a repealer section, it's calls for an action which is no longer necessary and that abstractor's would have to give a copy of their bond each county judge, they have to do it for 93 counties because they don't know in which counties they shall be active and under this law as it was changed now, this will be on file and most of them work, can take two or three counties very easy to check with the central registry that this should be on file there.

PRESIDENT: Is there any further discussion now of the Simpson amendment? The question is shall the Simpson amendment to LB 517 be adopted? All those in favor please say aye, those opposed say no, so ordered the amendment is adopted.

CLERK: Alright Mr. President then another amendment offered by Senator Luedtke (read).

SPEAKER: Alright, the Chair recognizes Senator Luedtke.

SENATOR LUEDTKE: Mr. President I move the adoption of the amendments. I'll explain the bill when I explain the amendment. This bill is an attempt to remove from the statutes all of the references to title standards. We have some 41 title standards, which lawyers use when they are examining abstracts of title for a title opinion to the clients, and there are by the way some 70 such standards and only 41 of them are by statute. Historically the way this developed was that lawyers were not using these standards of the bar association, they were all on their own going their own different ways and so back when the title standards were first put into the statute books, the attempt was made to unify and put all together in the, on the statute books, these particular standards, so they put 41 of them in there, then the lawyers started following them of course, because they were state law, so they started following them and then they added, they went all the way up to 70 and the rest of them were never put into the law, but they are all being followed and they can all be utilized, just as well by the standards of the Nebraska Bar Association, so we are at long last able to get rid of a bunch of statutes on the law book, which we do not need because the lawyers of the state and the title examiners are following these standards anyway, and that's the idea, the amendment would merely state that in the examination of an abstract it wouldn't be negligence for the attorney to follow the title standards promulgated by the Nebraska Bar Association, so as a result of that these title standards will be used the same as they always have, but we will be able to get rid of quite a number of laws on the law books though, reduce the size of the law books for once.

PRESIDENT: Senator Whitney, do you wish to speak on the Luedtke amendment?

SENATOR WHITNEY: Yes. I'd like to ask Senator Luedtke a question?

PRESIDENT: Will you yield Senator Luedtke?

SENATOR WHITNEY: I was not listening when you said what the amendment would do, but I thought you said that if they were following the standards as promulgated by the State Bar Association that everything would be okay, now is that correct, is that what you said?